

**United States District Court**

For the Northern District of California

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28UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIASAN FRANCISCO UNIFIED SCHOOL  
DISTRICT,

No. C-10-05211-DMR

Plaintiff,

v.

S.W., a minor student, and D.W. and P.W.,  
parents of S.W.,

Defendants.

**ORDER VACATING HEARING ON  
PLAINTIFF'S MOTION TO STAY  
PENDING CONSENT TO  
JURISDICTION OF MAGISTRATE  
JUDGE**

On December 8, 2010, Plaintiff filed a Motion to Stay an order issued by the Office of Administrative Hearings, pending appeal of the order with this Court ("Motion to Stay"). *See* Docket No. 4. Plaintiff noticed a hearing on the Motion to Stay for January 13, 2011 at 11:00 a.m.

Pursuant to 28 U.S.C. § 636 (c), the Magistrate Judges of this District have been designated to conduct any and all proceedings in a civil case including a jury or nonjury trial and to order the entry of a final judgment, upon the consent of all parties. All parties in the above-captioned case have not filed a signed consent or declination to proceed before a Magistrate Judge. In addition, no proof of service is on file indicating that the Defendants in this matter have been served with the complaint and notice of Plaintiff's Motion to Stay. Accordingly, the hearing on Plaintiff's Motion to Stay set for January 13, 2011 is hereby VACATED. Upon the filing of signed consents by all

1 parties to the action, the Court will issue an order resetting the hearing. If a declination is filed, the  
2 case will be immediately reassigned to an Article III District Judge.

3 **Immediately upon receipt of this Order, Plaintiff shall serve Defendants with a copy of  
4 this Order and file a proof of service with the Court.**

5  
6 IT IS SO ORDERED.  
7

8 Dated: December 20, 2010

  
DONNA M. RYU  
United States Magistrate Judge